

KARIE N. WILSON, ESQ.
Nevada Bar No. 7957
MESSNER REEVES LLP
8945 West Russell Road, Suite 300
Las Vegas, Nevada 89148
Telephone: (702) 363-5100
Facsimile: (702) 363-5101
E-mail: KWilson@messner.com
Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

YAMILEYDI GONZALEZ CARRAZCO, an
individual; YORDI CASTRO AREVALO, an
individual,

Plaintiffs,

vs.

PRO PERFORMANCE LOGISTICS, LLC, a
Texas limited liability company; RYDER TRUCK
RENTAL, INC., a foreign corporation; EDWIN E.
HOLLAND, an individual; DOES I through X; and
ROE CORPORATIONS I through X,

Defendants.

CASE NO: 2:24-cv-02150-JAD-DJA

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Pursuant to Local Rules 26-1(b), the parties respectfully submit the following stipulated discovery plan and jointly request that the Court: 1) approve this plan, and 2) implement the plan as a scheduling order. The FRCP 26(f) conference was held on December 19, 2024, between David A. Tanner, Esq. of TANNER LAW FIRM, for Plaintiffs, YAMILEYDI GONZALEZ CARRAZCO and YORDI CASTRO AREVALO, and Karie N. Wilson, Esq. of MESSNER REEVES LLP, for Defendants, PRO PERFORMANCE LOGISTICS, LLC, RYDER TRUCK RENTAL, INC., and EDWIN E. HOLLAND. The Parties propose the following discovery plan:

...

1. Subjects on which discovery may be needed (Fed. R. Civ. P. 26(f)(3)(A)):

Discovery will be needed regarding the facts and circumstances surrounding the subject motor vehicle accident and the allegations asserted in Plaintiffs' Complaint including the issues of Defendants' liability, Plaintiffs' claimed injuries and past and future medical treatment, and other damages allegedly suffered by Plaintiffs.

2. Discovery cut-off date (Fed. R. Civ. P. 26(f)(3)(A), LR 26-1(b)(1)):**a) Date of Defendants' answer or appearance (LR 26-1(b)(1)):**

Defendants filed their Answer in the Eighth Judicial District Court for Clark County, Nevada, on October 23, 2024, and filed their Notice of Removal to the U.S. District Court on November 18, 2024.

b) Reasons why longer or different time periods should apply to the case:

As illustrated below, this personal injury action will require a FRCP Rule 35 Examination for each of the named Plaintiffs, several depositions, and potentially multiple experts. Defendants need to obtain complete medical records from Plaintiffs' medical providers. Plaintiff Yamileydi Gonzalez Carrasco has been seen at approximately twelve (12) separate medical facilities for injuries allegedly sustained in the subject incident, and Plaintiff Yordi Rene Castro-Arevalo has been seen at sixteen (16) separate medical facilities. Given the time that may be required to obtain these relevant records, Defendants do not anticipate that any Rule 35 Examinations will be complete until early to mid-2025, and Defendants' expert will need sufficient time thereafter to prepare written reports. The parties also need the opportunity to conduct depositions, including fact witness depositions, to confirm the facts and circumstances surrounding the subject accident.

Plaintiffs anticipate conducting the deposition of Defendant Edwin Holland who currently resides in Texas. Representatives of Defendant Pro Performance Logistics are also located in Texas. The parties also anticipate conducting the depositions of both liability and damages experts once identified. Based on these factors, the parties do not believe that discovery can be fully completed

1 within 180 days of the date of removal, or by May 19, 2025, and therefore request one year to
2 complete discovery.

3 **c) Proposed discovery cut-off (LR 26-1(b)(1)):**

4 Discovery will close on November 18, 2025.

5 **3. Amendment of Pleadings and Adding Parties (LR 26-1(b)(2)):**

6 Motions to amend pleadings and add parties shall be filed no later than ninety (90) days before
7 the close of discovery: August 20, 2025.

8 **4. Disclosures (Fed. R. Civ. P. 26(f)(3)(A); LR 26-1(b)(3)):**

9 **a) Initial Disclosures:**

10 Initial disclosures shall occur on or before January 2, 2025.

11 **b) Initial Expert Disclosures**

12 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(i), initial expert disclosures shall be due no
13 later than sixty (60) days before the close of discovery: September 19, 2025.

14 **c) Rebuttal Expert Disclosures**

15 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(ii), rebuttal expert reports shall be due no later
16 than thirty (30) days before the close of discovery: October 20, 2025.

17 **5. Dispositive Motions (LR 26-1(b)(4)):**

18 The deadline for filing dispositive motions shall be thirty (30) days after the close of
19 discovery: December 18, 2025.

20 **6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):**

21 The joint pre-trial order shall be filed no later than thirty (30) days after the date set for filing
22 dispositive motions: January 16, 2026. The joint pre-trial order shall include the disclosures required
23 by Fed. R. Civ. P. 26(a)(3) and any objections to them.

24 **7. Alternative Dispute Resolution (LR 26-1(b)(7)):**

25 Counsel for the parties certify that they met and conferred about the possibility of using
26 alternative dispute resolution including mediation, arbitration and/or an early neutral evaluation. The
27

parties agree that an early neutral evaluation would not be effective at this time as the parties and their counsel believe that it is necessary to conduct discovery before attempting to resolve this case. Based on the estimated number of witnesses and potential experts, the special discovery timeline is requested.

8. Alternative Forms of Case Disposition (LR 26-1(b)(8)):

The parties certify that they have considered consent to trial by a magistrate judge under 28U.S.C. §636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01) but do not consent to those forms of dispute resolution at this time.

9. Electronic Evidence (LR 26-1(b)(9)):

The parties certify that they have discussed and intend to use electronic evidence at the trial of this matter and will ensure that said evidence is in an electronic format compatible with the Court's electronic jury evidence display system. At present, the parties have not agreed upon any stipulations regarding use of electronic evidence but will address this issue again in the Pre-Trial Order.

DATED this 19th day of December 2024

DATED this 19th day of December 2024.

MESSNER REEVES LLP

TANNER LAW FIRM



/s/ David A. Tanner, Esq.

KARIE N. WILSON, ESQ.

DAVID A. TANNER, ESQ.

Nevada Bar No. 7957

Nevada Bar No. 8282

kwilson@messner.com

JEFFREY C. GUNN, ESQ.

8945 West Russell Road, Suite 300

Nevada Bar No. 15925

Las Vegas, Nevada 89148

7895 W. Sunset Road, Suite 115

Attorneys for Defendants

Las Vegas, Nevada 89113

Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED.

DATED: 12/23/2024



UNITED STATES MAGISTRATE JUDGE

Nancy Amaya

From: David Tanner <david@tannerlawfirm.com>
Sent: Thursday, December 19, 2024 8:01 AM
To: Karie Wilson; Jeff Gunn
Cc: Courtney McMenamy; Nancy Amaya
Subject: RE: Gonzalez Carrazco v. Pro Performance Logistics

[CAUTION: This Email is from an External Sender]

Karie,

Thanks for putting these together. You can file them both with my electronic signature.

David

David A. Tanner, Esq.



7895 W. Sunset Rd., Suite 115, Las Vegas, NV 89113

Phone: 702-987-8888

Fax: 702-410-8070

From: Karie Wilson <KWilson@messner.com>
Sent: Wednesday, December 18, 2024 12:01 PM
To: David Tanner <david@tannerlawfirm.com>; Jeff Gunn <Jeff@tannerlawfirm.com>
Cc: Courtney McMenamy <Courtney@tannerlawfirm.com>; Nancy Amaya <NAmaya@messner.com>
Subject: Gonzalez Carrazco v. Pro Performance Logistics

Good afternoon, David and Jeff –

Attached for your review and approval is a Joint Status Report that is due to the Court by tomorrow, December 19, 2024. Please let me know if you have any questions or if we may include your e-signature for filing.

Also attached is a proposed discovery plan and scheduling order. Please let me know when you are available to discuss further so that we may finalize and file.

Finally, I have been authorized to accept service on behalf of Defendant Pro Performance Logistics.